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RECPT #

Record

OCA 86-1133  
10 April 1986

MEMORANDUM FOR: EPS/LG

FROM:

Deputy Director, House Affairs, OCA

SUBJECT: Letter of 31 March 1986 from Rep Don Edwards

1. In reference to the current letter from Representative Don Edwards, please provide the information he requested in his letter of 28 January, to-wit: an answer to question #2, and any relevant information the DO might have on question #3. For your information, I have asked the DDI to provide similar information and they will handle coordination with DDA and DDS&T.

2. Please provide your response directly to me for incorporation into a decision memorandum to the DCI and DDCI-designate. I would appreciate a response by 17 April. Thanks.

Attachments:

- A. Ltr of 28 Jan 86 from Rep Edwards
- B. DCI response of 28 Feb to Rep Edwards
- C. Ltr of 31 Mar from Rep Edwards

cc: AC/PPS/DO

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86- 0415x/1

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**U.S. House of Representatives**  
**Committee on the Judiciary**  
**Washington, DC 20515-6216**  
**Telephone: 202-225-3951**

March 31, 1986

The Honorable William J. Casey  
 Director of Central Intelligence  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Casey:

I wrote to you on behalf of the Subcommittee on Civil and Constitutional Rights on January 28, 1986, [REDACTED]

[REDACTED] In my letter I asked for an explanation of the CIA's present policy with respect to the subsidization of books published in the United States and for information on the scope of the Agency's activities in this regard.

You responded on February 28 by forwarding a speech given by Deputy Director Robert M. Gates at Harvard on February 13.

I had already read Mr. Gates' speech and must advise you that my concerns were not assuaged. In sum, Mr. Gates said that books based on CIA-financed research where the author had access to classified information may be published only if precleared by the CIA, and that disclosure of CIA sponsorship, whether or not classified information was involved, will be made only if both the CIA and the author agree to the acknowledgment.

The first proposition appears to be an important improvement in CIA policy, so long as the review is limited to the protection of classified information provided to a scholar and is not used as a pretext to bar publication of writings that contain no classified information.

The implications of the second proposition are more immediately troubling -- the CIA intends to continue to subsidize books without informing readers of the CIA connection.

The Honorable William J. Casey  
March 31, 1986  
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Now that the CIA has renewed its sponsorship of university research, Americans will want to know which books are CIA-supported. Otherwise, a cloud of suspicion will hover over every serious new book where the subject might be of interest to the CIA. As long as CIA-supported scholars are allowed to withhold the source of their funding, all scholars lose credibility, and domestic debate suffers. In every case, the question will be asked, "Is this a CIA-sponsored book? Am I about to read a book the CIA has paid for and perhaps censored?"

I urge that the disclosure issue be resolved, and soon. I agree with the Church Committee's finding that the CIA "must have unfettered access to the best advice and judgment our universities can produce." And I agree that scholars should be able to publish the results of CIA-financed research. But in every case there must be disclosure of the CIA connection, or the book should not be published.

In his Harvard speech, Mr. Gates dismissed this notion, arguing that it would be hypocritical to require disclosure of CIA funding but not relationships with businesses, foundations and foreign governments that also support academic research.

The response of course is that the CIA is not a business, a foundation or a foreign government. It is a U.S. government intelligence agency with top secret responsibilities [redacted]

[redacted] It is bound by the Constitution and has special responsibilities to the American people that private sector or foreign entities do not have. A CIA-sponsored book is hardly the same as one paid for by the Ford Foundation.

The American people also deserve to know how widespread is the practice. Are we talking about a dozen books and articles, or hundreds? In your February 28 letter you referred me to Chairman Hamilton of the House Intelligence Committee for answers to these questions. You should be reminded that in establishing the Intelligence Committee, other House Committees did not surrender jurisdiction. Rule 2 of the House Intelligence Committee is explicit:

(c) Nothing in this rule shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review any intelligence or intelligence-related activity to the extent that such activity directly affects a matter otherwise within the jurisdiction of such committee.

The Honorable William J. Casey  
March 31, 1986  
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(d) Nothing in the rule shall be construed as amending, limiting, or otherwise changing the authority of any standing committee of the House to obtain full and prompt access to the product of the intelligence and intelligence-related activities of any department or agency of the Government relevant to a matter otherwise within the jurisdiction of such committee.

The Subcommittee on Civil and Constitutional Rights has jurisdiction over constitutional issues involving the intelligence agencies, including the impact of intelligence activities on domestic public opinion. The CIA cannot have it both ways. If the Agency wants to take advantage of university scholars and if it must allow domestic publication of CIA-funded research in order to do so, then the Agency must accept corresponding responsibilities, including accountability to the committees concerned with domestic issues.

The Subcommittee is requesting, therefore, answers to questions 2 and 3 in my letter of January 28. We expect to continue to monitor this matter, including the implementation of the new policies announced by Mr. Gates in his recent speech.

Thank you for your attention to this matter.

Sincerely,



Don Edwards  
Chairman  
Subcommittee on Civil and  
Constitutional Rights

DE:jdd

cc: The Hon. Lee Hamilton

Central Intelligence Agency



Washington, D.C. 20505

OUR FILE

F-5 up

RECPT #

Record

OCA 86-0326/1

.28 FEB 1986

The Honorable Don Edwards, Chairman  
Subcommittee on Civil and  
Constitutional Rights  
Committee on the Judiciary  
House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of January 28, 1986. I am enclosing the text of a recent speech at Harvard University made by the Deputy Director for Intelligence, Dr. Robert M. Gates, which clearly lays out the Agency's policy with respect to research done on our behalf by academics. You will find that Dr. Gates has articulated a number of very specific policies governing the Agency's relations with academia that I think will be of interest to you.

In regard to your other questions about specific numbers of contracts between the Agency and academics and numbers of articles prepared with Agency funding, I must respectfully refer you to Chairman Hamilton of the House Permanent Select Committee on Intelligence. His Committee and the Senate Select Committee on Intelligence have both looked carefully into the Agency's relations with academics as part of their oversight responsibility. I believe the type of specific detail you have requested is, in fact, an oversight matter that most properly should be addressed by Chairman Hamilton.

Sincerely,

/s/ William J. Casey

William J. Casey  
Director of Central Intelligence

Enclosure

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## U.S. House of Representatives Committee on the Judiciary

Washington, DC 20515

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Executive Registry

86- 0415<sub>x</sub>

January 28, 1986

The Honorable William J. Casey  
 Director of Central Intelligence  
 Central Intelligence Agency  
 Washington, D.C. 20505

Dear Director Casey:

The Subcommittee on Civil and Constitutional Rights is concerned with actions by the CIA that might influence domestic public opinion. Such concerns arise from our responsibilities to preserve the free and open exchange of ideas, untainted by secret government influence.

It had been our understanding that the "CIA will undertake no activity in which there is a risk of influencing domestic public opinion, either directly or indirectly." (Letter from William Colby to the Select Committee to Study Governmental Operations With Respect to Intelligence Activities, 10/12/75.) In furtherance of this policy, we had understood that the CIA would "under no circumstances, publish books...in the United States." (Statement of Deputy Director of Plans Desmond FitzGerald, quoted in the Final Report of the Church Committee, Book I, p. 194.)

It is unclear whether these statements of CIA policy still apply, given reports that the CIA is funding research by university professors who may then publish the results of their research in this country without acknowledging their CIA support. Our concern is not with whether the CIA may contract with academics, secretly or otherwise, but rather with whether the results of that research may be introduced, without stating their origins, into the domestic marketplace of ideas.

The Honorable William J. Casey  
January 28, 1986  
Page Two

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In order to clarify the nature and possible impact of the CIA's support of domestic authors, we would like to know:

1. What is the CIA's policy with respect to whether a contractor who writes a book based on CIA-funded research can disclose to the public that his work has been supported by CIA funding?
2. In the past four years, how many books or articles published in the United States have been written by individuals outside the CIA with the support of Agency funding?
3. In the past four years, how many individuals affiliated with U.S. universities have signed research contracts with the CIA giving the Agency the right to review and bar publication of the contractor's written work?

Thank you for your attention to this matter.

Sincerely,



Don Edwards  
Chairman  
Subcommittee on Civil and  
Constitutional Rights

DE:jxdb